

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION

Call to Order: Chair Duane Ankney, on January 21, 2011 at 8:30 AM, in Room 317C
Capitol

ROLL CALL

Members Present:

Rep. Duane Ankney, Chair (R)
Sen. Rick Ripley, Vice Chair (R)
Sen. John Brenden (R)
Rep. Mike Cuffe (R)
Rep. Galen Hollenbaugh (D)
Sen. Jim Keane (D)

Members Excused: None

Members Absent: None

Staff Present: Rinay Bender, Committee Secretary
James Chamberlain, Office of Budget and Program Planning (OBPP)
Barbara Smith, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action on Department of Natural Resources and Conservation decision packages.

Decision packages 2101, 2203, 2206, 2301, 2303, 2304, 2306, 2309, 2323, 2324, C225
Language requests, 2401, 2402, C233 Language requests, 2501, 2502, 2504, 3051, 3506,
3507, 3508, 3509, C245, 2251, 2355, 3553, C244 Statutory authority and 3550.

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

January 21, 2011

PAGE 2 of 9

00:00:03 Barbara Smith, Legislative Fiscal Division (LFD)

[EXHIBIT\(jnh16a01\)](#)

[EXHIBIT\(jnh16a02\)](#)

EXECUTIVE ACTION

00:01:57 **Motion:** Rep. Ankney moved that **DP 2101 BE ADOPTED.**

Discussion:

00:02:10 Sen. Ripley

00:02:40 Patricia Schultz, Department of Natural Resources and Conservation (DNRC)

00:03:15 Sen. Ripley

00:04:42 Sen. Brenden

00:04:54 Ms. Schultz, DNRC

00:05:27 Sen. Brenden

00:06:09 Ms. Schultz

00:06:16 Sen. Brenden

00:06:44 Ms. Smith, LFD

00:08:12 Sen. Brenden

00:08:32 Ms. Smith, LFD

00:08:53 Sen. Brenden

00:09:05 Ms. Smith, LFD

00:09:45 Sen. Ripley

00:10:13 Ms. Smith, LFD

00:10:20 Rep. Cuffe

00:11:31 Ms. Schultz, DNRC

00:12:22 James Chamberlain, OBPP

00:13:44 Ms. Smith, LFD

00:14:11 Sen. Brenden

00:14:28 Rep. Cuffe

00:15:12 **Vote:** Motion failed 2-4 by roll call vote with Rep. Hollenbaugh and Sen. Keane voting aye.

00:16:09 Ms. Smith, LFD

00:16:56 Rep. Hollenbaugh

00:17:08 Tom Richmond, Board of Oil and Gas Division, DNRC

00:17:26 **Motion/Vote:** Sen. Ripley moved that **DP 2203 BE ADOPTED.** Motion carried unanimously by roll call vote.

00:17:55 Ms. Smith

00:18:19 **Motion/Vote:** Sen. Keane moved that **DP 2206 BE ADOPTED.** Motion carried unanimously by roll call vote.

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

January 21, 2011

PAGE 3 of 9

Discussion:

00:18:59 Ms. Smith
00:19:28 Sen. Ripley
00:19:51 Ray Beck, Conservation And Resource Development Division, DNRC
00:20:45 Sen. Brenden
00:21:26 Mr. Beck, DNRC
00:22:43 Sen. Brenden
00:23:11 Mr. Beck, DNRC
00:23:24 Sen. Brenden
00:23:51 Mr. Beck, DNRC
00:24:01 Sen. Ripley
00:24:48 Ms. Smith, LFD

00:25:09 **Motion/Vote:** Rep. Hollenbaugh moved that **DP 2301 BE ADOPTED**. Motion carried 5-1 by roll call vote with Sen. Brenden voting no.

Discussion:

00:26:44 Sen. Ripley
00:26:54 Ms. Smith, LFD
00:27:36 Chairman Ankney
00:27:58 Sen. Keane
00:28:22 Sen. Ripley
00:28:35 Ms. Smith, LFD

00:28:59 **Motion/Vote:** Rep. Ankney moved that **DP 2303 BE ADOPTED**. Motion carried unanimously by roll call vote.

00:35:31 Ms. Smith, LFD

00:35:51 **Motion/Vote:** Sen. Brenden moved that **DP 2304 BE ADOPTED**. Motion carried unanimously by roll call vote.

00:36:28 Ms. Smith, LFD

00:36:56 **Motion:** Sen. Keane moved that **DP 2306 BE ADOPTED AS ONE TIME ONLY**.

00:37:04 Sen. Brenden
00:37:37 Rep. Hollenbaugh

00:37:54 **Vote:** Motion failed 3-3 by roll call vote with Rep. Ankney, Rep. Hollenbaugh and Sen. Keane voting aye.

00:38:45 Ms. Smith, LFD

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

January 21, 2011

PAGE 4 of 9

00:39:10 **Motion/Vote:** Sen. Ripley moved that **DP 2309 BE ADOPTED AS AMENDED AS ONE TIME ONLY RESTRICTED.** Motion carried unanimously by roll call vote.

00:39:45 Ms. Smith, LFD

00:40:26 **Motion/Vote:** Sen. Brenden moved that **DP 2323 BE ADOPTED.** Motion carried unanimously by roll call vote.

00:41:03 Ms. Smith, LFD

00:42:05 **Motion/Vote:** Sen. Ripley moved that **DP 2324 BE ADOPTED.** Motion carried unanimously by roll call vote.

00:42:56 Ms. Smith, LFD

00:44:52 Sen. Ripley

00:45:05 Ms. Smith, LFD

00:45:12 Sen. Ripley

00:45:28 Mr. Beck, DNRC

00:46:33 Ms. Smith, LFD

00:46:54 Chairman Ankney

00:47:23 Mr. Beck, DNRC

00:47:51 Sen. Brenden

00:48:02 Mr. Beck, DNRC

00:48:36 **Motion:** Sen. Ripley moved that **C-225, LANGUAGE AND STATUTORY AUTHORITY, SECTIONS 1, 3, AND 4 BE ADOPTED.**

00:49:58 Mr. Beck, DNRC

00:50:29 Sen. Brenden

00:51:00 Rep. Cuffe

00:51:06 Ms. Smith, LFD

00:51:43 Sen. Keane

00:51:47 Chairman Ankney

00:52:22 **Vote:** Motion carried unanimously by roll call vote.

00:53:04 Sen. Brenden

00:53:29 Ms. Smith, LFD

00:53:50 Sen. Brenden

00:54:09 Ms. Smith, LFD

00:54:26 Sen. Keane

00:54:38 Ms. Smith, LFD

00:55:08 **Motion:** Rep. Hollenbaugh moved that **C-225, SECTION 2 BE ADOPTED.**

Discussion:

00:55:36 Chairman Ankney
00:55:55 Mr. Beck, DNRC
00:56:02 Chairman Ankney
00:56:11 Mr. Beck, DNRC
00:56:45 Sen. Ripley

00:57:33 **Substitute Motion:** Sen. Keane made a substitute motion that **C-225, SECTION 2 BE ADOPTED AS AMENDED FROM \$1.0 MILLION TO \$333,000 FOR THE BIENNIUM.**

00:57:52 Ms. Smith, LFD

00:58:11 **Vote:** Motion carried unanimously by roll call vote.

00:58:51 Rep. Cuffe, without objection, changed his vote to aye on DP 2323.
00:59:44 Ms. Smith, LFD

01:00:38 **Motion/Vote:** Sen. Ripley moved that **DP 2401 BE ADOPTED.** Motion carried unanimously by roll call vote.

01:01:12 Ms Smith, LFD

01:01:53 **Motion/Vote:** Rep. Hollenbaugh moved that **DP 2402 BE ADOPTED.** Motion carried unanimously by roll call vote.

01:02:29 Ms. Smith, LFD

01:03:51 **Motion/Vote:** Sen. Ripley moved that **C-233, LANGUAGE REQUESTS BE ADOPTED AND PASSED AS A PACKAGE.** Motion carried unanimously by roll call vote.

01:04:34 Ms. Smith, LFD

01:04:59 **Motion:** Sen. Ripley moved that **DP 2501 BE ADOPTED.**

01:05:12 Ms. Smith, LFD
01:05:21 Rep. Cuffe

01:05:31 **Vote:** Motion carried unanimously by roll call vote.

01:05:59 Ms. Smith, LFD
01:06:37 Sen. Ripley
01:06:52 Ms. Smith, LFD
01:07:39 Sen. Ripley
01:07:44 Ms. Smith, LFD
01:08:03 Mr. Chamberlain, OBPP
01:08:55 Sen. Ripley

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

January 21, 2011

PAGE 6 of 9

01:09:05 Mr. Chamberlain, OBPP
01:09:31 Ms. Smith, LFD

01:09:50 **Motion:** Rep. Hollenbaugh moved that **DP 2502 BE ADOPTED.**

01:10:08 Sen. Ripley
01:10:44 Rep. Hollenbaugh
01:11:08 Rep. Cuffe

01:11:37 **Vote:** Motion carried 5-1 by roll call vote with Sen. Brenden voting no.

01:12:22 Ms. Smith, LFD

01:12:40 **Motion/Vote:** Sen. Ripley moved that **DP 2504 BE ADOPTED.** Motion carried unanimously by roll call vote.

01:13:17 Ms. Smith, LFD

01:14:20 **Motion/Vote:** Sen. Ripley moved that **DP 3501 BE ADOPTED.** Motion carried unanimously by roll call vote.

01:14:49 Ms. Smith, LFD

01:15:02 **Motion/Vote:** Sen. Brenden moved that **DP 3506 BE ADOPTED.** Motion carried unanimously by roll call vote.

01:15:29 Ms. Smith, LFD

01:15:44 **Motion:** Sen. Ripley moved that **DP 3507 BE ADOPTED.**

01:15:51 Sen. Brenden
01:16:16 Tom Schultz, DNRC

01:16:31 **Vote:** Motion carried unanimously by roll call vote.

01:16:57 Ms. Smtih, LFD

01:17:09 **Motion:** Sen. Ripley moved that **DP 3508 BE ADOPTED.**

01:17:27 Mr. Schultz, DNRC
01:18:02 Chairman Ankney
01:18:23 Mr. Schultz, DNRC
01:19:03 Sen. Brenden
01:19:19 Mr. Schultz, DNRC
01:19:30 Ms. Smith, LFD
01:20:13 Sen. Ripley
01:20:23 Mr. Schultz, DNRC
01:20:52 Sen. Brenden
01:21:10 Mr. Chamberlain, OBPP

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

January 21, 2011

PAGE 7 of 9

01:21:56 **Vote:** Motion failed 2-4 by roll call vote with Rep. Hollenbaugh and Sen. Keane voting aye.

01:22:26 Ms. Smith

01:22:39 **Motion/Vote:** Sen. Ripley moved that **DP 3509 BE ADOPTED**. Motion carried unanimously by roll call vote.

01:23:11 Ms. Smith, LFD
01:23:48 Sen. Keane
01:23:55 Ms. Smith, LFD
01:24:41 Rep. Cuffe
01:25:09 Ms. Smith, LFD

01:25:35 **Motion/Vote:** Sen. Ripley moved that **C-245 PROPRIETARY TABLE BE ADOPTED**. Motion carried unanimously by roll call vote.

01:26:28 Sen. Keane
01:27:03 Sen. Brenden
01:27:16 Sen. Keane
01:27:47 Sen. Brenden
01:28:01 Sen. Keane
01:28:13 Ms. Smith, LFD
01:28:29 Sen. Keane
01:40:01 Ms. Smith, FLD

01:40:25 **Motion:** Sen. Keane moved that **DP 2251 BE ADOPTED AS AMENDED WITH GOALS AND OBJECTIVES REPORTING BACK TO THE COMMITTEE AND TO THE ENVIRONMENTAL QUALITY COUNCIL**.

01:41:26 Ms. Smith, LFD

01:41:49 **Vote:** Motion carried unanimously by roll call vote.

01:42:22 **Motion/Vote:** Rep. Hollenbaugh moved that **DP 2355 BE ADOPTED**. Motion carried unanimously by roll call vote.

01:42:54 Ms. Smith, LFD

01:43:53 **Motion:** Sen. Ripley moved that **DP 3553 BE ADOPTED**.

01:44:28 Ms. Smith, LFD
01:44:44 Sen. Ripley

01:45:01 **Vote:** Motion carried unanimously by roll call vote.

01:45:24 **Motion/Vote:** Sen. Ripley moved that **C-244 Statutory Authority for fire suppression BE ADOPTED AS AMENDED**. Motion carried unanimously by roll call vote.

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

January 21, 2011

PAGE 8 of 9

01:46:15 **Motion/Vote:** Sen. Keane moved that **DP 3550 BE ADOPTED AS AMENDED AS \$1.6 MILLION PER YEAR FOR ENGINE DEVELOPMENT, ONE TIME ONLY.** Motion carried unanimously by roll call vote.

01:47:11 Sen. Ripley
01:47:40 Chairman Ankney
01:48:04 Sen. Brenden
01:48:33 Ms. Smith, LFD

ADJOURNMENT

01:49:46 Chairman Ankney adjourned the meeting.

Rinay Bender, Secretary

rb

Additional Documents:

EXHIBIT([inh16aad.pdf](#))